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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/601,268	01/31/96	HOURMAND	B NAR01-P-310

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EXAMINER

KAPLAN, J

ART UNIT

PAPER NUMBER

2107

8

DATE MAILED: 04/22/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/601,268

Applicant(s)

Hourmand

Examiner

Jonathan S. Kaplan

Group Art Unit

2107



- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-20 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-4, 6-14, and 16-20 is/are rejected.
- ☒ Claim(s) 5 and 15 is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5 and 6
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2107

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 6, 7, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 16 are vague and indefinite because it is unclear what is meant by “to increase the sensitivity of said charge pump circuit to touching of said touch terminal by an operator’s body.”

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kent. (4,352,141)

Kent discloses a capacitive responsive switching comprising: an oscillator (N5, N6, R1, C1) having a frequency of 1 MHZ, an input touch terminal (3), a detector circuit (E) coupled to said oscillator and said touch input terminal, DC power supply (1), wherein said periodic input signal provided by said oscillator is a square wave see column 2, lines 9-12, and a plurality of

Art Unit: 2107

active elements coupled to an output of said oscillator to buffer and improve the shape of the square wave output therefrom (C3, C4, R2), and a charge pump (D1, N1, R4, and C6).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-11, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Ingraham (5,087,825).

Claims 8 and 9 add the limitations of a microcontroller. Kent does not disclose the detector circuit including a microcontroller. However, Ingraham discloses a detector circuit including a microcontroller. (80) It would have been obvious to one of ordinary skill in the art to replace the detector circuit of Kent with the detector circuit of Ingraham in order to provide a computerized control circuit that can control a plurality of different load requirements sent by a plurality of touch sensors.

Claims 10 and 11 add the limitations of a plurality of input touch terminals and a plurality of touch circuits. Kent only teaches one touch input terminal and one touch circuitry. However, Ingraham discloses a plurality of input touch terminals (18) with corresponding touch circuits. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

Art Unit: 2107

utilize the teachings of Ingraham into Kent's device for the purpose of providing a plurality of ways in which the load may be controlled see column 2, lines 36-40.

As to claims 18 and 19, Kent discloses a capacitive responsive switching comprising: an oscillator (N5, N6, R1, C1) having a frequency of 1 MHZ, an input touch terminal (3), and a detector circuit (E) coupled to said oscillator and said touch input terminal. Kent only teaches one touch input terminal and one touch circuitry. However, Ingraham discloses a plurality of input touch terminals (18) with corresponding touch circuits. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Ingraham into Kent's device for the purpose of providing a plurality of ways in which the load may be controlled see column 2, lines 36-40. Kent also does not disclose the details of the touch input comprising a dielectric substrate. However, Ingraham does disclose a touch sensor comprising a dielectric layer substrate (26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Ingraham into Kent's device as this is a well known way to activate a capacitor switch input.

6. Claims 8-11, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Kirton (5,235,217).

Kent discloses a capacitive responsive switching comprising: an oscillator (N5, N6, R1, C1) having a frequency of 1 MHZ, an input touch terminal (3), and a detector circuit (E) coupled to said oscillator and said touch input terminal.

Art Unit: 2107

Kent does not disclose the shape of the touch terminal. However, Kirton discloses a touch terminal (14) which is domed shaped. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Kirton into Kent's device for the purpose of providing a touch sensor which is easy to operate.

7. Claims 5 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

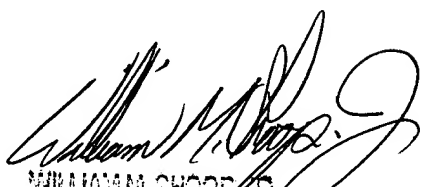
8. Claims 6, 7, and 16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan S. Kaplan whose telephone number is (703) 308-1216.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1782.


JSK

April 11, 1997


WILLIAM M. CHOOF JR.
SUPERVISORY PATENT EXAMINER
ART UNIT 217